

# TEMPORARY

NO. 73107-T

## APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUL 27 2005

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed JUL 27 2005

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The applicant **Baroid Drilling Fluids, Inc.** hereby makes application for permission to change the **point of diversion** of water heretofore appropriated under **permit #42931 (cert. #15356)**

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1. The source of water is **underground**
2. The amount of water to be changed **0.041 cfs (29.68 acre-feet per year)**
3. The water to be used for **mining, milling and domestic**
4. The water heretofore permitted for **mining, milling and domestic**
5. The water is to be diverted at the following point within the **SW $\frac{1}{4}$ NE $\frac{1}{4}$  Sec.27, T.37N.,R.49E.,M.D.M.**, from which the NE corner of Sec. 22, in said township, bears **N.17°50'E., 6,750 ft. dist.**
6. The existing permitted point of diversion is located within the **NW $\frac{1}{4}$ NE $\frac{1}{4}$  Sec.22, T.37N.,R.49E.,M.D.M** from which the NE corner of said sec. 22 bears **N.61°47'00"E., 1,713.0 ft. dist.**
7. Proposed place of use **same as existing**
8. Existing place of use all of secs. 15,22,26,27,34 and 35, and E $\frac{1}{2}$  Sec 21, within **T.37N.,R.49E.,M.D.M.**
9. Use will be from **Jan. 1 to Dec. 31** of each year.
10. Use was permitted from **Jan. 1 to Dec. 31** of each year.
11. Description of proposed works **drilled and cased well, submersible or line shaft pump, motor, power line extension, storage tanks and pipeline to mining and milling facilities.**
12. Estimated cost of works **\$140,000.00**
13. Estimated time required to construct works **one year**
14. Estimated time required to complete the application of water to beneficial use **five years**

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15. Remarks: Mining and milling processes will continue as in past. This well source has been depleted; and the contributing amount of water is urgently needed to continue processing demand.

s/ William A. Nisbet  
By William A. Nisbet,  
421 Court Street  
Elko, NV 89801

Compared lt/ gkl lt/ gkl

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 42931, Certificate 15356 is issued subject to the terms and conditions imposed in said Permit 42931, Certificate 15356 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted, at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permit 42931, Certificate 15356; Permit 42932, Certificate 15357; Permit 42934, Certificate 15358; Permit 61410, Certificate 15359; Permit 70710 and 73107-T shall not exceed 196.42 acre-feet annually.

The manner of use of water under this temporary permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 14, 2006 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.041 cubic feet per second, but not to exceed 29.68 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed on or before:

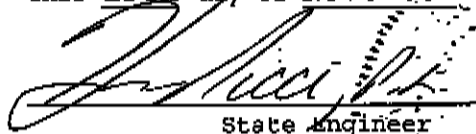
Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

**TEMPORARY**

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,  
State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,  
this 15th day of November A.D. 2005

  
State Engineer

